

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-7183**

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In Re: RICKY LEE VANCE,

Petitioner.

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On Petition for Writ of Mandamus  
(CR-94-22)

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Submitted: October 7, 2004

Decided: October 15, 2004

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Before WIDENER, NIEMEYER, and WILLIAMS, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Ricky Lee Vance, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Ricky Lee Vance petitions for writ of mandamus, alleging the district court has unduly delayed acting on his motion for reduction in sentence filed pursuant to Fed. R. Crim. P. 35. He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court dismissed Vance's motion in an order filed on August 27, 2004. Accordingly, because the district court has recently decided Vance's case, we deny the mandamus petition as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED